

AGRICULTURAL PEST CONTROL

HOW TO COMPLY

Commercial For-Hire
Pesticide Applicators and Businesses

**Wisconsin Department of Agriculture,
Trade and Consumer Protection**

**Division of Agricultural Resource Management
2811 Agriculture Drive
PO Box 8911
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(608) 224-4500
<http://datcp.wi.gov>



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INTRODUCTION

Use this “How to Comply” guide as a reference to the state statutes and administrative codes that are related to commercial pesticide applications to agricultural commodities. It contains excerpts from state pesticide regulations that were in effect in 2014.

Agricultural pesticide applications are made to control pests including those affecting:

1. Agricultural field and vegetable crops, or pests on noncrop agricultural lands.
2. The production of agricultural fruit crops, including small fruits, tree fruits and nuts.
3. Agricultural animals such as livestock, poultry or horses, and pests other than birds and rodents in places where animals are confined.
4. Greenhouse or nursery plants.

Federal Laws

Pesticides must be registered by the United States Environmental Protection Agency (EPA), (unless exempt) and include EPA Registration number(s) and EPA Establishment number(s) on their label. Additionally, these products must be licensed for use within the State of Wisconsin.

No person may use a pesticide contrary to label directions or for an unlabeled purpose. The site of application must be specifically listed on the label. With the exception of termites, the pest need not be listed on the label. The applicator should evaluate the product for effectiveness on the pest s/he is managing. If you require assistance interpreting a label, contact the Department of Agriculture, Trade and Consumer Protection (DATCP) at (608) 224-4547. Follow label directions – The Label Is “The Law”.

Wisconsin Laws

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) enforces Wisconsin’s pesticide laws under Wis. Stat. § 94.67 to Wis. Stat. § 94.71, Plant Industry (the Wisconsin Pesticide Law). Wisconsin Administrative Code Related to agricultural pesticide use includes:

- Chapter ATCP 29, Pesticide Use and Control
- Chapter ATCP 30, Pesticide Product Restrictions
- Chapter ATCP 31, Groundwater Protection Program
- Chapter ATCP 33, Fertilizer and Pesticide Bulk Storage

All state statutes and administrative codes may be read in their entirety at the Wisconsin Legislature - Folio Site Directory web site: <https://docs.legis.wisconsin.gov/>

DATCP CONTACTS

Bulk pesticide & fertilizer storage: 608-224-4518

Certification and licensing: 608-224-4548

Pesticide rule interpretation: 608-224-4551

Schedule an applicator certification exam: <http://pestexam.datcp.wi.gov> or 608-224-4548

DATCP Environmental Enforcement Specialists: http://datcp.wi.gov/Environment/Water_Quality/EES/index.aspx

Report suspected pesticide violations: 608-224-4500

Department of Agriculture, Trade & Consumer Protection (DATCP)
Division of Agricultural Resource Management
Pesticide Certification and Licensing
PO Box 8911 Madison, WI 53708-8911
datcppesticideinfo@wi.gov and <http://datcp.wi.gov>

A searchable database of licensed applicators, businesses, dealers and registered pesticides available at: http://datcp.wi.gov/Plants/Pesticides/Pesticide_Databases/index.aspx

Spills Hotline, DNR
800-943-0003
DNR Contact Information
<http://dnr.wi.gov/>

COMPLIANCE CHECKLIST FOR AGRICULTURAL PESTICIDE APPLICATORS AND BUSINESSES

All of the elements in this checklist must be addressed to legally operate as a commercial pesticide application business in Wisconsin. Details related to each element listed below are found on the pages noted from DATCP's "Agricultural Pest Control Applications: How to Comply" reference guide available at: http://datcp.wi.gov/Plants/Pesticides/Pest_Applicator_Pubs/index.aspx

- ☐ **Certification:** Each individual who uses pesticides or is "directing the use" of a pesticide as a supervisor shall be certified within the appropriate pesticide certification category. Businesses that provide multiple services may require their applicators to become certified in two or more certifications categories in order to comply.
Wis. Admin. Code § ATCP 29.26, 29.8 and 29.31(1)-(16). [How to Comply Page: 3-5](#)
- ☐ **Pesticide Business Location License (PBL):** Your business shall be licensed annually with DATCP (includes sole proprietors). Wis. Admin. Code § ATCP 29.20(1) [How to Comply Page: 6](#)
- ☐ **Individual Commercial Applicator Licenses:** Each individual who applies pesticides or is "directing the use" of a pesticide as a supervisor for your business shall be licensed annually with DATCP.
Wis. Admin. Code § ATCP 29.25(1) [How to Comply Page: 7](#)
- ☐ **Storage and Transportation of Pesticide [And Fertilizer]:** Businesses shall comply with state storage and transportation requirements. Wis. Admin. Code § ATCP 29.40, 29.45, 29.47 and ATCP 33. [How to Comply Page: 8](#)
- ☐ **Use and Disposal of Pesticide:** Businesses shall comply with state use and disposal requirements.
Wis. Admin. Code § ATCP 29.40, 29.45, 29.47, and ATCP 33 [How to Comply Page: 9](#)
- ☐ **Advanced Notice:** Specific application information shall be provided to individuals requesting advance notification of 1) pesticides highly toxic to bees and 2) aerial applications. Wis. Admin. Code § ATCP 29.51(1) and (2) [How to Comply Page: 11](#)
- ☐ **Worker Protection Standard:** Your business shall provide Worker Protection Standard (WPS) information to agricultural establishments employing workers, before a pesticide application is made, and shall provide the required WPS provisions to your employees performing handler tasks.
Wis. Admin. Code § ATCP 29.51(5) and 29.61 [How to Comply Page: 12](#)
- ☐ **Warning Signs at Application Sites:** Post the appropriate warning sign for specific applications.
Wis. Admin. Code § ATCP 29.52 [How to Comply Page: 14](#)
- ☐ **Atrazine Use Restrictions:** Comply with the timing, application rate and location limitations on the use of pesticides containing atrazine. Wis. Admin. Code § ATCP 30 and ATCP 31 [How to Comply Page: 15](#)
- ☐ **Post-Application Information:** After making a pesticide application, specific information must be provided to the customer. Post application precautions must be provided in a timely manner.
Wis. Admin. Code ATCP 29.22 [How to Comply Page: 16](#)
- ☐ **Pesticide Application Records:** Businesses and individual applicators shall maintain complete records for all pesticide applications for a period of two years.
Wis. Admin. Code § ATCP 29.21(1) and 29.33(1) [How to Comply Page: 18](#)
- ☐ **Check for Sensitive Areas near the Application Site:** You may choose to search for sensitive crops on properties near the application site by using DriftWatch
http://datcp.wi.gov/Plants/Pesticides/Driftwatch_Program/index.aspx

COMMERCIAL PESTICIDE APPLICATOR CERTIFICATION CATEGORY DESCRIPTIONS

Who needs to be certified?

Individuals who use or direct the use of:

1. Any pesticide as an independent contractor for hire
2. A restricted use pesticide.

Commercial applicators demonstrate competence in the use and handling of pesticides by passing a written closed book certification examination. Individuals shall be competent in the use and application of pesticides in each certification category relevant to their pesticide use. Agricultural service businesses that provide multiple services may require their employees to have more than one certification to comply with Wis. Adm. Code §§ ATP 29.31(1)-(16). Certification is valid for five years. Some of the 20 different certification categories and the types of pesticide use allowed under each category follow.

Field and Vegetable Pest Control (1.1). ch. ATP 29.31(1) Wis. Adm. Code

Control pests affecting agricultural field and vegetable crops, or to control pests on noncrop agricultural lands (example: pastures).

Fruit Crop Pest Control (1.2). ch. ATP 29.31(2) Wis. Adm. Code

Control pests affecting the production of agricultural fruit crops, including small fruits, tree fruits and nuts.

Livestock and Poultry Pest Control (1.3). ch. ATP 29.31(3) Wis. Adm. Code

Do either of the following:

1. Control pests on agricultural animals such as livestock, poultry or horses.
2. Control pests other than birds and rodents in places, other than human habitations, where agricultural animals are confined.

Greenhouse and Nursery Pest Control (3.1). ch. ATP 29.31(6) Wis. Adm. Code

Control pests affecting greenhouse or nursery plants.

Seed Treatment Pest Control (4.0). ch. ATP 29.31(7) Wis. Adm. Code

Control pests on seeds used for planting or propagation, other than planter box treatments.

Pesticide Mixer and Loader (24.0). ch. ATP 29.28 Wis. Adm. Code

Individuals certified in this category may only mix and load pesticides for application by others.

Supplemental Certification Categories

Applicators that want to certify in a supplemental category must first certify in a base category specific to the agricultural commodities to which they apply pesticides. For example, to apply a fungicide to corn from a helicopter, a pilot must certify in both Category 1.1 Field and Vegetable and the supplemental Category 9.9 Aerial.

Aerial Applicator (9.9). ch. ATP 29.29(1) Wis. Adm. Code

Individuals who uses an aircraft to make pesticide applications.

Chemigation (26.0). ch. ATP 29.29(2) Wis. Adm. Code

"Use" a pesticide means to mix or load a pesticide, apply a pesticide, or engage in any of the following activities which is related to the mixing, loading or application of a pesticide:
(a) Activities which the pesticide label requires of the mixer, loader or applicator.
(b) Handling an open pesticide container, other than an empty container that has been triple-rinsed or cleaned according to the pesticide label.
(c) Cleaning or rinsing an open pesticide container, pesticide application equipment, or a mix or nurse tank.
(d) Disposing of a pesticide or pesticide rinsate.
(e) Aerating or ventilating spaces treated with a pesticide.

Definition from ATP 29.01(41)

"Direct the use of a pesticide" means to select or control the use of a pesticide, where the selecting or controlling individual has supervisory authority over the person using the pesticide.

Definition from ATP 29.01(14)

Individuals who makes pesticide applications by means of a chemigation system.

Soil Fumigation (25.0). ch. ATPCP 29.29(3) Wis. Adm. Code

Individuals who uses soil fumigants.

Soil Fumigants

This How to Comply document does not cover specifics of soil fumigant use. Since 2012 the Environmental Protection Agency's (EPA) new safety measures for soil fumigant pesticides have been implemented to protect agricultural workers and bystanders when fields are fumigated. The federal changes pertain only to soil fumigant products that contain any of the following active ingredients: chloropicrin, dazomet, methyl bromide, metam sodium and metam potassium. State regulations specific to soil fumigation are contained in ch. ATPCP 30.22 and ATPCP 29 Wis. Adm. Code. For additional information about the use of soil fumigants visit the department website:

http://datcp.wi.gov/Plants/Pesticides/Soil_Fumigants/index.aspx

Reciprocal Commercial Applicator Certification and Licensing

ch. ATPCP 29.25 and 29.26 Wis. Adm. Code

An individual who has certified by passing a closed book commercial applicator exam in another state within the past five years may seek reciprocal certification from Wisconsin if 1) the individual has never had his certification suspended or revoked, and 2) the other state's certification standards are equivalent to Wisconsin's. Reciprocal certification and license expire on Dec. 31 of the year in which it was issued.

Trainee Registration. ch. ATPCP 29.32 Wis. Adm. Code

A licensed pesticide application business that is training an employee to become a certified and licensed pesticide applicator may register an employee as a trainee. A registered trainee may temporarily engage in activities for which a license and certification are required if those activities are reasonably necessary for the training. Trainee registration cannot be issued after a trainee has failed a certification exam.

Trainee registration expires 30 days after it is issued and an employer may not register a trainee more than once in the same category. DATCP expects the trainee to take the certification exam during or immediately after the 30 day trainee timeframe. If after 30 days a trainee has not successfully passed the commercial applicator certification examination, the trainee may not re-register within the original category, for temporary registration. The application is available at:

http://datcp.wi.gov/Plants/Pesticides/Licenses/Commercial_Applicator_Certification/index.aspx

A trainee is not allowed to do any of the following:

1. Use any pesticide except under the direct on-site supervision of an individual who is certified and licensed to perform the functions for which the trainee is being trained.
2. Direct the use of pesticides.
3. Engage in any category of pesticide use that is not identified in the trainee registration.
4. Use any restricted-use pesticide.
5. Engage in aquatic pest control, including "mosquito larvaciding".
6. Use any soil fumigant, or apply any pesticide by aircraft or chemigation.

An employer filing a trainee registration form must provide a true copy (i.e. one of the carbon copies of the original) of that registration form to the trainee. The trainee must carry the registration form when engaged in any activity for which licensing and certification would be required if the individual were not registered as a trainee.

Private Pesticide Applicator Certification. ch. ATPCP 29.27 Wis. Adm. Code

Individuals who only use restricted-use pesticides on property that they or their employer own, control, or rent may certify as a private applicator. Individuals must certify as a commercial pesticide applicator if they are paid to apply pesticides to more than 500 acres/year of land they do not control, or make applications for more than three agricultural producers, or make applications for non-agricultural purposes.

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HOW TO BECOME A CERTIFIED COMMERCIAL PESTICIDE APPLICATOR

Wis. Admin. Code § ATPC 29.26

An individual that wants to become a commercial pesticide applicator must:

1. **Obtain certification training** in the appropriate pesticide certification category from the University of Wisconsin – Pesticide Applicator Training Program.

a. Self-study. Contact the University of Wisconsin Pesticide Applicator Training Program to order a training manual.

OR

b. Live training. Pre-register to attend a training session. Dates and locations are available on a limited schedule. This option includes the required training manual and the certification exam is offered at the training session.

Mail

University of Wisconsin
Pesticide Applicator Training
Department of Agronomy
1575 Linden Drive
Madison, WI 53706-1597

Phone

(608) 262-7588

Internet

<http://ipcm.wisc.edu/PAT>

Email

PATprogram@mailplus.wisc.edu

2. **Pass the certification exam.** Once you have adequately studied the training material, schedule your certification exam with DATCP Certification and Licensing Program (Test only, no training given)

Schedule online or by phone:

Online Exam Scheduling

<http://pestexam.datcp.wi.gov/>

Phone

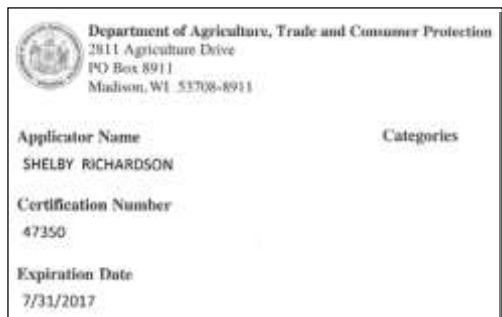
(608) 224-4548

Certification Exam

An individual shall demonstrate practical knowledge and competency in a pesticide application certification category by scoring at least 70 percent on a written, closed-book examination administered by the department. Certification is valid for five years after passing the exam. There is a specific exam for each certification category.

Retesting Applicants Who Do Not Pass the Certification Exam

An individual who does not pass their initial examination may retake the exam no sooner than 24 hours later on a regularly scheduled exam date. An individual who fails a second or third exam may retest no sooner than 30 days after their failed exam. An individual who fails four exams in any category in any six month period may not retake the exam for at least 6 months following the date of the last failed exam.



Certification Card

An individual commercial applicator shall carry a current certification card when engaged in any activity for which certification is required. The certification card contains the applicator's name, certification number, certification category, and certification expiration date.

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COMMERCIAL APPLICATION BUSINESS LICENSES

Wis. Adm. Code § ATCP 29.20

Who needs a license?

A *person* who either directly or through an employee, uses or directs the use of:

1. Any pesticide as an independent contractor for hire.
2. A restricted-use pesticide.

DATCP must receive the license application form and license fee prior to a business applying pesticides. Pesticide application business license applications are available at:

http://datcp.wi.gov/Plants/Pesticides/Licenses/Commercial_Applicator_Business/index.aspx

"Person" means an individual, corporation, partnership, cooperative association, limited liability company, trust or other organization or entity. "Person" includes a county or local government entity, but does not include a state or federal government entity.
Definition from ATCP 29.01(26)

Business licenses are valid for one calendar year (Jan. 1 to Dec. 31).
Licenses are not transferable to another person or premise (address site).

Notify DATCP when a new business location is added or when there are significant changes to your current license, e.g. move to a new location. Contact DATCP at (608) 224-4548 or datcppesticideinfo@wi.gov

What is a considered a business location?

1. A site from which the person operates on a regular basis as a pesticide applicator for hire, including any site at which the person regularly takes orders for pesticide applications. A motorized vehicle from which a person takes orders by a mobile phone is not a site under this definition.
2. A site, or a group of sites located within ½ mile of each other, at which a person mixes or loads a total of at least 1,500 pounds of pesticide active ingredient, excluding active ingredients applied at or immediately adjacent to the mixing or loading site.

Are there any exemptions for business licenses?

Yes, the following persons are not required to obtain a license:

1. A government entity.
2. An individual employed by a person licensed under the above who uses or directs the use of pesticides solely on behalf of that employer and not on the individual's own behalf.
3. A person applying pesticides as part of a medical treatment provided by a licensed medical practitioner, or as part of a veterinary treatment provided by a licensed veterinary practitioner.
4. A person applying pesticides in the laboratory in the course of bona fide laboratory research.
5. A person applying germicides, sanitizers or disinfectants.

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INDIVIDUAL COMMERCIAL APPLICATOR LICENSES

Wis. Adm. Code § ATPC 29.25

Who needs a license?

A certified pesticide applicator must have a license from the department to use or direct the use of:

1. Any pesticide as an independent contractor for hire, or as an employee of an independent contractor for hire.
2. A restricted-use pesticide.

DATCP will not license anyone less than 16 years old.

Individual licenses are valid for one calendar year (Jan. 1 to Dec. 31) and is not transferable between persons. Applicators shall carry the license when involved in commercial pesticide work.

DATCP must receive the license application form and license fee prior to an individual working as a commercial applicator. License application forms are available at:

http://datcp.wi.gov/Plants/Pesticides/Licenses/Commercial_Applicator_License/index.aspx

Inform DATCP of address changes that occur during the license period.

Are there any exemptions for the individual license?

Yes, a license is not required for any of the following:

1. A health practitioner who uses or directs the use of a pesticide as part of a medical treatment which that practitioner is licensed to provide in this state.
2. A veterinarian affiliated with a veterinary clinic whose operator holds a permit under Wis. Adm. Code § ATPC 29.23, who uses or directs the use of a pesticide as part of a veterinary treatment which the veterinarian is licensed to provide in this state.
3. An animal technician affiliated with a veterinary clinic whose operator holds a permit under Wis. Adm. Code § ATPC 29.23, who uses a pesticide as part of veterinary treatment which that technician is certified to provide under Wis. Stats. § Ch. 453.
4. A laboratory researcher who uses or directs the use of pesticides only in the laboratory as part of a bona fide laboratory research project.
5. An individual who only uses or directs the use of germicides, sanitizers or disinfectants.
6. An employee of a pesticide application business licensed under Wis. Adm. Code § ATPC 29.20, who applies pesticides only to property owned or controlled by that pesticide application business, and who applies no restricted-use pesticides.



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STORAGE AND TRANSPORTATION OF PESTICIDES

Wis. Adm. Code § ATCP 29.40, 29.45, 29.47, and ATCP 33

STORING AND TRANSPORTING PESTICIDES (AND FERTILIZERS)

General provisions. A person storing or transporting pesticides must do all of the following:

1. Store and transport pesticides according to label directions in a manner that avoids reasonably foreseeable and reasonably preventable hazards to person, property and the environment.
2. Secure pesticides and pesticide containers against access by children, the general public, domestic animals and wild animals.
3. Keep pesticides adequately separated from food, feed and other products so that the pesticides will not contaminate or be mistaken for those products.
4. Thoroughly clean pesticide residues from storage areas and transport vehicles before reusing those storage areas or transport vehicles for other purposes.
5. Immediately take appropriate measures to contain and recover spills and clean surfaces exposed to spilled pesticide.
6. Protect pesticide containers and labels from reasonably foreseeable damage or destruction.
7. Inspect pesticide containers when those containers are removed from their outer shipping containers, to ensure that the pesticide containers are intact and properly sealed, and that pesticide labels are intact and fully legible.

Who needs a secondary containment area (dike) or mixing loading pad?

If you are handling and storing liquid pesticides (or fertilizers) in containers larger than 55 gallons or dry bulk pesticide in undivided quantities greater than 100 pounds you must have containment provisions and store these bulk products according to ATCP 33, Wis. Adm. Code. Portable containment units for minibulk containers are available on the market.

If you immediately anchor to a vehicle, trailer or axles a bulk storage container that can be readily transported when full (definition of a mobile container, i.e. minibulk or tote), the mobile container cannot be parked at the business' location unless a compliant containment pad is on site. If the mobile storage container is parked off site and other than the field of application the following restrictions apply:

1. The person who owns or controls the parking location, or receives the unloaded (bulk) fertilizer or pesticide, is not engaged in the manufacture or distribution of (bulk) fertilizer or pesticide.
2. The (bulk) fertilizer or pesticide is mixed/loaded into application equipment with the consent of the person who owns or controls the parking or mixing/loading location.
3. The mixing/loading from the mobile bulk container does not occur for more than 3 persons or for more than 500 acres, in any calendar year.
4. The mobile bulk container, if unloaded for any person other than the person who owns or controls the parking location, has a capacity of no more than 500 gallons.
5. The mobile bulk container is parked at the location for no more than 7 days.

For assistance contact the DATCP containment specialist at (608) 224-4518.

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USE AND DISPOSAL OF PESTICIDES

Wis. Adm. Code § ATP 29.40, 29.45, 29.47, 29.50 and ATP 33

PESTICIDE MIXING AND LOADING SITE REQUIREMENTS

Who needs a mixing loading pad?

The pad is not required if *all* mixing and loading is done in the field. A pad is required if the site where these operations occur is within 100 feet of a well or surface water OR if a combined total of 1,500 pounds of pesticide active ingredients are mixed or loaded within a single half mile area on an annual basis.

PESTICIDE APPLICATION EQUIPMENT

No person use pesticide application equipment that is clogged, unclean, leaking or in disrepair. Applicators need to take time to examine their equipment regularly for leaks, worn hoses and similar maintenance issues. Do not forget to calibrate your equipment.

BACKFLOW PROTECTION

Regulations require the use of a backflow protection device or fixed air gap when filling pesticide application equipment, or a mix or nurse tank, from a well or discharge outlet.

USING PESTICIDES CONSISTENT WITH THE PESTICIDE LABEL

General provisions. No person may do the following: a) Use or direct the use of a pesticide in a negligent manner or in a manner inconsistent with the pesticide labeling and b) use or direct the use of a pesticide for a purpose for which the pesticide is not registered or labeled.

The applicator and supervisors should review the product labels for required personal protective equipment and product labeling restrictions. If you require assistance interpreting a label, contact the Department of Agriculture, Trade and Consumer Protection (DATCP) at (608) 224-4547. Follow label directions – The Label Is “The Law”. For each of the pesticides you are applying:

- Is the pesticide applied at or below the labeling-required dosage, concentration, or frequency?
- Is the pesticide used in compliance with applicable timing, distance, safety restrictions and other label prohibitions such as not mixing with fertilizer specified on the labeling?
- Is the pesticide used only in locations (crops, animals, sites, geography) authorized by the labeling?
- Is the pesticide applied by any application method prohibited or excluded by the labeling? (some labeling may prohibit aerial application; some labeling may limit use to methods specified)
- Is the pesticide for a purpose the pesticide is registered or labeled?

SPILLAGE OF PESTICIDES

Immediately take appropriate measures to contain and recover spills and clean surfaces exposed to spilled pesticide.

DISPOSAL OF PESTICIDES AND PESTICIDE CONTAINERS

General provisions: A person holding or disposing of any pesticide or pesticide container for disposal must do all of the following:

- Dispose of the pesticide or pesticide container in a manner that is consistent with the label directions
- Dispose of or hold for disposal in a manner that does not risks contaminating waters of the state
- Dispose of or hold for disposal in a manner that does not create a hazard to persons, property or the environment

Do you have old or unusable pesticide formulations?

The Department manages an annual grant program for counties and municipalities wishing to collect unwanted pesticides. Businesses with agricultural pesticides may be eligible for up to 50% subsidy on disposal costs. For more information, see visit <http://cleansweep.wi.gov> .

If you are generating or have of rinsates that contain pesticides, are you properly disposing or using these rinsates?

Improper use or disposal of leftover pesticide tank mixtures and rinsate can cause serious damage to crops and the environment. Where pesticides are involved, two options are available to properly handle rinsates: 1) use the tank mix or rinsate in a crop protection application following applicable pesticide label requirements; or 2) dispose of the tank mix or rinsate through a private waste hauler or disposal company in accordance with solid and hazardous waste rules.

Rinsate containing only fertilizer (no pesticides) should be used on crops or may be mixed with manure in a manure storage facility that meets the technical standards of the department. For more information regarding disposal in accordance with solid and hazardous waste rules, visit the DNR website at <http://dnr.wi.gov/topic/Waste/Hazardous.html>

If you are generating or have sludge that contains pesticides, are you properly disposing of the sludge?

When the dirt is pulled out of the sump it is typically a sludge that can contain residue from pesticides and fertilizers that spilled during the season. This sludge can sometimes contain enough pesticide residues that it creates a problem when trying to dispose of it. Businesses with agricultural pesticides may be eligible for up to 50% subsidy on disposal costs. For more information, visit the DATCP website at <http://cleansweep.wi.gov>
For more information regarding disposal in accordance with solid and hazardous waste rules, visit the DNR website at <http://dnr.wi.gov/topic/Waste/Hazardous.html>

Are you properly managing and disposing of empty pesticide containers (plastic jugs, bags, minibulks)?

Labeling requires the triple rinsing or equivalent. You can do the following with empty containers:

1. Recycle a container for scrap in compliance with applicable law.
2. Reuse, in compliance with label directions, a pesticide container that is designed to be reused.
3. Return a pesticide container to a pesticide manufacturer or seller who has agreed to receive the container.
4. Temporarily reuse a pesticide container to hold the same pesticide recovered from a leaking or damaged pesticide container.

For further information regarding recycling options, contact registrants and dealers or visit the Wisconsin Agri-Business Association, Inc. website at <http://wiagribusiness.org/recycling.php>

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ADVANCED NOTICE OF A PESTICIDE APPLICATION

Pesticides Highly Toxic to Bees

Wis. Admin. Code ATCP 29.51(1)

Beekeepers can request advance notification prior to the application of any pesticide labeled “Highly Toxic to Bees” or containing the active ingredient methomyl. Beekeepers operating bee yards up to 1 ½ miles from an application site may request advance notice from the landowner. The person who owns or controls the application site is responsible for giving each beekeeper written or oral notice at least 24 hours prior to the application. The applicator may provide the notice on behalf of a landowner.

The notice must include the date and time of the planned application, the brand or common name of the pesticide to be applied and the location of the application site. If the application date is changed after the notice was issued, the beekeeper must be notified of the change. An example notice is in Appendix III

Aerial Application

Wis. Admin. Code ATCP 29.51(2) and 29.53(2)

An individual may request in writing advance notice of aerial applications to land *immediately* adjacent to their residence. At least 24 hours prior to the aerial application, the person who controls the application site shall notify each resident who requested notice. The applicator may provide the notice on behalf of a landowner. Notice is not required if the application site is ¼ mile from the adjacent parcel on which the requester resides.

The notice must include the date and time of the planned application, the brand or common name of the pesticide to be applied and the location of the application site. If the application date is changed after the notice was issued, the beekeeper must be notified of the change.

DriftWatch

Talk with your customer about sensitive areas near the application site. In addition, a website hosted by DriftWatch™ is meant to help protect sensitive crops from pesticide drift. This includes organic crops, grapes, and fresh market fruits and vegetables, as well as beehives. Growers register their sites of a half-acre or more on the website. Their locations are recorded on Google Maps™. Pesticide applicators can check DriftWatch™ before applications, and take additional steps beyond their normal procedures to prevent drift. Use of DriftWatch is voluntary. For more information visit the DATCP website: http://datcp.wi.gov/Plants/Pesticides/Driftwatch_Program/index.aspx

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WORKER PROTECTION STANDARD (WPS)

Wis. Admin. Code ATCP 29.51(5) and 29.61 and 40 CFR 170

What pesticides are covered by WPS?

Pesticide labels with an "Agricultural Use Requirements" statement are covered by the WPS. Specific label language will indicate the precautions relevant to agricultural workers and handlers. The WPS does not cover pesticides applied on pastures, rangeland, or livestock.

Do I need to comply with the WPS?

Yes, a commercial pesticide handling establishment (custom applicators or their employers) that uses pesticides in the production of agricultural plants on a farm, forest, nursery, or greenhouse, and is doing any of the following tasks:

- Mixing, loading, transferring, or applying pesticides, handling opened containers of pesticides
- Acting as a flagger
- Cleaning, handling, adjusting, or repairing the parts of mixing, loading, or application equipment that may contain pesticide residues
- Assisting with the application of pesticides
- Adjusting or removing coverings, such as tarps, used in fumigation, or check air concentration levels, entering a treated area outdoors after application of any soil fumigant to adjust or remove soil coverings, such as tarpaulins
- Performing tasks as a crop advisor during any pesticide application, and before any inhalation exposure level or ventilation criteria listed in the labeling has been reached or one of the WPS ventilation criteria has been met during any restricted-entry interval
- Disposing of pesticides or pesticide containers.

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours

What provisions of the WPS do I need to comply with?

Notice of applications to agricultural employers. Commercial pesticide handling establishments must make sure that their customer - the operator of the farm, forest, nursery, or greenhouse - knows certain information about the pesticide before it is applied on the establishment. Customers must have this information to protect their employees as required by the WPS. State and federal law require that WPS information be provided to the agricultural producer prior to making the pesticide application. Information may be provided in writing or orally. If the pesticide is not applied as scheduled, the customer must be informed of the corrected time and date of the application by making the correction before the application takes place or as soon as practicable thereafter. Commercial pesticide handling establishments must provide farm establishments or growers the following information so they can provide it to the workers and handlers on their establishment:

1. Specific location and description of the area to be treated.
2. Time and date the application is scheduled.
3. Pesticide product name, EPA registration number and active ingredient.
4. Restricted entry interval (REI).
5. Whether the pesticide label requires both oral notification and posting.
6. Other label specific requirements for protecting workers and others such as personal protective equipment (PPE) needed for early entry workers or for crop advisors who may be scouting an area under REI.

A custom applicator can request WPS information from growers they contract pesticide applications with. The grower must provide relevant precautions for entering pesticide treated areas on their operation. For additional information regarding the requirement for "Notice of Application to Agricultural Employers" visit the Environmental Protection Agency's (EPA) website at: <http://www.epa.gov/oecaagct/factsheets/epa-305-f-01-010.pdf>

Decontamination supplies. Commercial pesticide handling establishment employers (Employers) must provide supplies so that their handlers can wash pesticides or their residues from their hands and bodies.

Accessible decontamination supplies must be located within a quarter mile of all handlers and must include:

- Enough water for routine and emergency whole-body washing and eye flushing (about 3 gallons for each handler)
- Soap in sufficient quantity to meet the handlers' needs
- Single-use towels in sufficient quantity to meet the handlers' needs
- A clean change of coveralls for use by each handler

Employers also must provide water that is safe and cool enough for washing, eye flushing, and drinking.

Employers may not use tank-stored water that also is used for mixing or diluting pesticides.

Water for emergency eye flushes must be immediately available if the pesticide label calls for protective eyewear.

Employers must provide handlers with the previously mentioned supplies at each mixing site and at the place where protective equipment is removed at the end of a task. Worker decontamination supplies must not be located in areas being treated or under an REI. Supplies for handler decontamination may be in the treated area in which the handler is working, as long as the materials are stored in sealed containers.

Knowledge of labeling and site-specific information.

Equipment safety. Employers must make sure that equipment used for mixing, loading, transferring, or applying pesticides is inspected and repaired or replaced as needed. Only appropriately trained and equipped handlers may repair, clean, or adjust pesticide-handling equipment that contains pesticides or pesticide residues.

Personal protective equipment. Employers must provide handlers with the personal protective equipment required by the pesticide labeling for each task. They also must provide handlers with a pesticide-free work area for storing personal clothing, as well as for changing into and out of personal protective equipment for each task. Employers must not allow any handler to wear or take home any used personal protective equipment. They must make sure PPE is worn and used correctly, and make sure respirators fit correctly.

Employers must take steps to avoid heat illness. Employers must take necessary steps to help employees prevent heat illness, especially while PPE is being worn. Train handlers to recognize, prevent, and treat heat illness.

PPE cleaning and maintenance. Employers must make sure that PPE:

- To be reused is cleaned, inspected, and repaired before each use or replaced as needed;
- That is not reusable or cannot be cleaned is disposed of properly; and
- Should be washed, hung to dry, and stored separately from personal clothing and away from pesticide areas.

Replacing respirator purifying elements. Employers must replace dust/mist filters when breathing becomes difficult, if the filter is damaged or torn, when the respirator label or pesticide label requires it, or at the end of each day's work period in the absence of any other instructions. Cartridges or canisters designed to remove vapors must be replaced when odor, taste, or irritation is noticed; when the respirator label or pesticide label requires it; or at the end of each day's work period in the absence of any other instructions.

Disposal of PPE. Employers must discard coveralls and other clothing that are heavily contaminated with an undiluted pesticide having a DANGER or WARNING signal word, according to directions on the pesticide label. Federal, state, and local laws must be followed when disposing of PPE that cannot be cleaned correctly.

For additional information about WPS contact the department at (608) 224-4545. [\[return to checklist\]](#)

WARNING SIGNS AT APPLICATION SITES

Warning signs shall be posted prior to the pesticide application when required. All warning signs shall be intact and fully legible throughout the required posting period. The requirement to post a warning sign is dependent the pesticide used, method of application and presence of workers or the public. If a pesticide label requires a warning sign that is different from the ATCP 29 required warning sign, the warning sign specified on the pesticide label must be used in place of the state warning sign.

Dual Notice Pesticide Wis. Adm. Code § ATCP 29.52(1)

At sites where a dual notice pesticide is applied within 300 feet of a residence, migrant labor camp, school, playground, day care facility, health care facility, commercial or industrial facility, public recreation area, or other nonagricultural area except a public road, where individuals are likely to be present during the restricted entry interval specified on the pesticide label. Posting is the joint responsibility of the applicator, the applicator's employer and the owner of the premise. For additional information about posting dual notice pesticide applications visit

http://ipcm.wisc.edu/pat/download/download/Dual-Notice_2014.pdf

• Chemical-resistant gloves made of any waterproof material
• Chemical-resistant footwear plus socks
• Protective eyewear

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

The dual notice statement is found in the Agricultural Use Requirements section of a label.

What warning sign must I use if I have to post an application site?

A warning sign for a dual notice pesticide must be at least 8 ½ inches by 11 inches and shall contain the following information:

- All letters shall be at least 1 inch high.
- Letter printing shall contrast with the background color.
- The words "DO NOT ENTER" may be replaced with "NO TRESPASING" or "KEEP OUT".
- Other words may be added to the sign if they do not detract from or contradict the required words.

Warning signs must comply with all of the following:

1. The form and content of each warning sign must be identical to that shown. A warning sign may contain supplementary information beyond that shown, if the information is consistent with and does not detract from that shown.
2. Each warning sign must be constructed to resist deterioration and remain legible throughout the required posting period.
3. Warning signs must be posted before the pesticide application begins, and must remain posted for the duration of any restricted entry interval specified on the pesticide label.
4. Warning signs must be posted at the following locations:
 - a. At normal points of access to the application site.
 - b. At ¼ mile intervals along those borders of an outdoor application site that lie within 300 feet of a residence, migrant labor camp, school, playground, day care facility, health care facility, commercial or industrial facility, public recreation area, or other nonagricultural area, except a public road, where individuals are likely to be present during the restricted entry interval specified on the pesticide label. An application site bordering an area identified under this subdivision for less than ½ mile must be posted with at least one sign.



Stored Pesticide-Treated Seed Wis. Adm. Code § ATCP 29.52(7) and 29.57(4)

A person who stores pesticide-treated seed in bulk shall post a warning sign on every bin or storage area where that seed is stored. A warning sign shall remain posted as long as the pesticide-treated seed remains in storage. The warning sign shall be at least 8 1/2 inches by 11 inches, and shall conspicuously disclose the following statement or its equivalent:

"DANGER. THE SEED IN THIS STORAGE AREA HAS BEEN TREATED WITH THE PESTICIDE [name of pesticide] ON [date]."

Other Warning Signs are required by the state chemigation rules. Refer to the relevant pages of this How to Comply manual for details.

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ATRAZINE USE RESTRICTIONS

Wis. Adm. Codes § ATPC 30 and 31

Wisconsin has imposed limitations on the use of pesticides containing the active ingredient (AI) atrazine to protect Wisconsin's ground and surface water supply. The Wisconsin rules are more restrictive than the Federal product labels. Only certified pesticide applicators may mix, load or use atrazine. Wisconsin atrazine regulations include the following:

Atrazine cannot be applied before April 1 or after July 31.

Atrazine may only be used on agricultural crops.

Atrazine may not be applied to an irrigated field for two years after an atrazine application unless an irrigation scheduling program is used.

FOR WEED CONTROL IN CORN AND	
ACTIVE INGREDIENTS:	% BY WT.
Atrazine: 2-chloro-4-ethylamino-6-isopropylamino-s-triazine	30.0%
Atrazine related compounds	0.5%
Metolachlor: 2-chloro-N-(2-ethyl-6-methylphenyl)-N-(2-methoxy-1-methylethyl)acetamide	28.9%
INERT INGREDIENTS:	40.6%
TOTAL	100.0%
Parallel Plus contains 2.8 lbs. atrazine active ingredient + related compounds per gallon and 2.7 lbs. metolachlor active ingredient per gallon.	
Check your labels for active ingredients	

Maximum Application Rates

The amount of atrazine active ingredient applied during one calendar year is based on soils and previous atrazine use. Rescue treatments for sweet or seed corn soils may not exceed 1.5 pounds of AI per acre per year on coarse soils, or 2.0 pounds of AI per acre per year on medium/fine soils.

Maximum pounds of atrazine active ingredient (AI) per acre per year		
Field Surface Soil Texture	Atrazine product used on field last year	Atrazine product not used on field last year
Coarse Soils (Any field that is 25% or more sand, loamy sand, sandy loam)	0.75	0.75
Medium/fine Soils (loam, silt, silt loams, sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, clay, peat, muck)	1.00	1.50

Atrazine Prohibition Areas

The department has established prohibition areas where atrazine may not be used. These prohibition areas are established to protect groundwater. Maps of prohibition area boundaries are available on the DATCP website:

http://datcp.wi.gov/Environment/Water_Quality/Atrazine/Atrazine_Prohibition_Areas/index.aspx

Recordkeeping

An application record must be kept for three years for every atrazine application. This is longer than normal two year record keeping requirement.

Set Back Restrictions - Required by the Federal label

Product labels have setback requirements for atrazine applications. They include a minimum of 50 feet from wells and sinkholes, 66 feet from points where field runoff enters intermittent and perennial rivers and streams, 66 feet from standpipes on terraced fields if atrazine is not incorporated or if no-till is not used, and 200 feet from lakes. For additional information available visit Syngenta Crop Protection Inc.'s website:



http://www.syngentacropprotection.com/Env_Stewardship/waterquality/Using_Atrazine_Protecting_Water_Quality.pdf
[\[return to checklist\]](#)

POST – APPLICATION INFORMATION TO CUSTOMERS

Wis. Adm. Code § ATCP 29.22

After making a pesticide application for a customer, either directly or through an employee, the below information shall be provided to the customer in writing. If you want to provide this information electronically, the customer must consent to electronic notifications prior to the application. The information must be provided within 30 days unless the information must be known sooner. Some precautions must be provided immediately after the application so that workers or the grower can take the required action to protect themselves or their crop.

1. A telephone number at which the customer may contact the person.
2. The first name, last name and license number of each individual who made or directly supervised the pesticide application.
3. The site to which the pesticide was applied.
4. The specific location of the pesticide application site. Must contain sufficient detail so that the location can be readily determined from the description.
5. The month, day, year and approximate starting and ending time of the pesticide application.
6. The brand name or product name or common chemical name, and the federal EPA registration number of each pesticide applied.
7. At least one of the following:
 - a. The concentration and total quantity of each pesticide applied.
 - b. The amount of each pesticide applied per unit area and the total area treated.
8. Post-application precautions which the pesticide label requires of the customer. This information shall be provided in time for the customer to take the required precautions.
9. A free copy of the pesticide label, or notice that the customer may request a free copy. The person must provide a free copy to each customer who requests it.

Recording the Specific Application Location

You may design your own method of recording a pesticide application, provided the record is legible and meets the intent of the rule. A written record must be understandable, accurate and detailed enough so someone who did not observe the application can locate the site using only your description. You may use maps and diagrams to record application locations.

Post Application Precautions

Growers must receive, in writing, all of the relevant post application precautions listed on a pesticide label in time for them to take the necessary actions (electronic is acceptable if the grower agrees in writing to receive electronic communications). This includes, but is not limited to the Restricted Entry Interval (REI), post-harvest interval, forage and grazing restrictions and plant back restrictions. Post application precautions can cover a wide range of other topics.

The applicator/business is responsible for informing the grower not only of what precautions apply at the time of the application, but need to note that other label precautions might apply in the future. It is the business's responsibility to review the pesticide product labels and provide these precautions.

How can this be accomplished? Businesses can, and may need to, provide this information in a variety of ways. Some examples:

- Give the landowner a copy of the label that has the relevant precautions circled/highlighted
- Provide a chart summarizing required information

- Provide a series of documents listing the information (e.g. post application precaution chart and an attachment to the application record stating the required information for WPS notice of applications to agricultural employers, which includes active ingredient(s) (AI), warning notification type, Early Entry Worker PPE requirements) Some of this information can be provided prior to the application season.

Many application businesses summarize this information into a chart which is provided to their customers prior to the growing season. . These charts provide the WPS “Notice of Applications to Agricultural Employers” and post application precautions. These charts often include:

- Pesticides the business uses with product name, EPA Reg #, AI, and Signal Word
- REI
- Pre-harvest interval
- Grazing interval
- Restrictions for planting the next crop on the site(plant back),
- Posting/verbal warning requirements for workers
- PPE requirements for early entry workers
- Other relevant notes such as target pests or the maximum amount of AI or number of applications allowed per year.

The sheer volume of pesticides, post application precautions and WPS requirements make this a difficult task. Regardless, many agricultural services providers update their lists each year.

The UWEX annually produces two publications that outline this information:

- UWEX Publication A3634 Pest Management in Wisconsin Field Crops. 2014 edition:
<http://learningstore.uwex.edu/assets/pdfs/A3646.PDF>
- UWEX Publication A2422 Commercial Vegetable Production in Wisconsin. 2014 edition:
<http://learningstore.uwex.edu/assets/pdfs/A3422.PDF>

These post application precaution charts may, or may not, cover all the relevant pesticide label restrictions applicable to every landowner. ***A business is required to provide their customer the information specific to the customers operation, even if it is not included on a pesticide post application precaution chart the business provides.*** For example, if a business’s chart only identifies that Callisto GT has no crop rotational interval for corn; the business needs to advise the grower that if they rotate to a different crop the Callisto GT label also has a 10 month crop rotational interval for alfalfa, soybeans and other crops.

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PESTICIDE APPLICATION RECORDS

COMMERCIAL APPLICATION BUSINESS RECORDS

Wis. Adm. Code § ATPC 29.21

A person who is required to have a pesticide business location license must keep a legible record of each pesticide application that the person makes directly or through an employee. The person must keep the record for at least two years (three years for atrazine applications), and must make it available to the Department for inspection and copying upon request. The individual making the pesticide application must complete the required record on the day of application (See Appendix I and II).

INDIVIDUAL COMMERCIAL APPLICATOR RECORDS

Wis. Adm. Code § ATPC 29.33

An individual who is required to be licensed as a commercial applicator must make a record of each pesticide application for which that license is required. The individual must make the record on the day of the application and keep the record for at least two years, unless the individual is employed by a commercial application business that keeps the record (See Appendix I and II).

Application records of pesticides containing Atrazine must be kept for THREE years.

Record Contents

A pesticide application record must include all of the following:

1. The first and last name of each individual making the pesticide application.
2. The name and address of the customer, if any, for whom the pesticide was applied.
3. The site to which the pesticide was applied.
4. The specific location of the pesticide application site. (*See next page for more information*)
5. The month, day, year and approximate starting and ending time of the pesticide application.
6. The brand name or product name or common chemical name, and the federal EPA registration number of each pesticide applied.
7. At least one of the following:
 - a. The concentration and total quantity of each pesticide applied.
 - b. The amount of each pesticide applied per unit area and the total area treated.
8. Each location, other than a licensed business location, at which the pesticide was mixed or loaded. Mixing and loading sites do not need to be identified if the pesticide is applied directly from a prepackaged retail container, or is applied with application equipment having a total capacity of not more than 5 gallons of liquid pesticide or 50 pound dry pesticide.

You may create one form to document both the Application Records and the Information to Customer. In addition to the eight items listed above your form will need to include these items:

- Applicator or business phone number
- Applicator license number
- Post-application precautions (e.g. pre-harvest interval, grazing interval, REI, plant back restrictions)
- Notice that a free copy of each pesticide label is available upon request.

RECORDING THE APPLICATION INFORMATION

You may design your own method of recording a pesticide application, provided the record is legible and meets the intent of the rule. The written record must be understandable, accurate and detailed enough so someone who did not observe the application is able to locate the site using only your record.

There are several reasons for this level of detail: the record allows for one to retrieve a pesticide sample in case of an emergency involving a suspected overexposure to humans or other animals, it enables one to monitor the effectiveness of their pest control strategy, and it allows the Department's compliance section to sample treated areas for enforcement purposes. A record is also valuable when multiple applicators service the same grower. Because you are required to provide application information to your customers, it allows them to avoid the treated area and know what post application precautions to take.

Properly documented application records have also proven useful to agricultural service providers in cases where complaints of drift or other pesticide misuse are investigated by the Department. In these situations the field investigator will use the business' record to verify if a pesticide was used according to label directions or to sample an off target location to verify if the pesticide can be found offsite.

There is no formal requirement for a map or diagram, however GPS coordinates, maps and air photos can all contribute to accurate application records. What is required is a description that clearly indicates which areas were treated. It is important to differentiate between application blocks, and to develop separate application records when treating multiple locations for a customer. Be specific with all the required application elements. For example, if you make a corn herbicide application between 9:30 am and 10:00 am to a customer's 40 acre field, and then drive to a distant 120 acre field owned by the customer and make an application between 10:30 am and 11:45 am, do not record an application to 160 acres starting at 9:30 am and stopping 11:45 am.



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PESTICIDE PERMITS FOR AVIARY AND SMALL MAMMAL CONTROL

Aviary Applications

Before making pesticide applications for the control of Grackles, Red-Winged Blackbirds, Feral Pigeons, House Sparrows, Starlings, and other birds, a Repel and Destroy Wild Birds Permit Application must be completed by the business making the pesticide application, and approved by a regional Department of Natural Resources (DNR) representative.

Small Mammal Applications

Use of baits containing active ingredients Strychnine or Sodium Fluoracetate (1080) for the control of Pocket Gophers, Moles, Rats, Mice and other small mammals require a special use permit. A Pesticide Purchase and Use Permit Application for Small Mammal Control must be completed by the business making the pesticide application, and approved by a regional DNR wildlife representative.

A flowchart outlining these special permit requirements is found in an appendix of many UW PAT Certification Training Manuals

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CHEMIGATION

Wis. Adm. Code § ATPC 29.54

A chemigation system is a device or system which mixes pesticides with irrigation water drawn from any source, and which applies the pesticides with the irrigation water. There are specific certification, design, and operation requirements for pesticide applications with a chemigation system.

Chemigation System Design Wis. Admin. Code § ATPC 29.54(3) – (13)

Chemigation systems must comply with manufacturer's specifications, prevent pesticides from contaminating waters of the state and prevent unreasonable hazards to persons, property and the environment. Systems must meet code requirements designed to address:

- Water supply protection
- Construction materials
- Pesticide injection into the system
- Pesticide supply tank
- Preventing backflow
- Flow interrupter; pesticide supply line
- Flow sensor; injection line
- Check valve, pesticide injection line
- Interlock between water pump and pesticide injection unit
- Water pressure failure, automatic shut-off
- Purging a chemigation system

Applicator Certification Wis. Admin. Code § ATPC 29.29(2)

When pesticides are applied by a chemigation system certification in the supplemental Category 26.0 Chemigation is required of the applicator. To make agricultural chemigation applications, certification is required in both an agricultural certification category and Category 26.0 Chemigation.

Observation Wis. Admin. Code § ATPC 29.54(16) An applicator is required to observe chemigation applications at all times when overspray or drift may affect sensitive nontarget areas. For other chemigation operations, the applicator must be present at least hourly, and comply with a pesticide label that imposes additional observation requirements.

Chemigation Operating Plan Wis. Admin. Code § ATPC 29.54(14) – (17)

An operating plan must be developed and followed for the chemigation system. The plan must identify sensitive nontarget areas, methods for preventing overspray and drift, backflow prevention, calibration monitoring procedures, flush time for the system and safety procedures for individuals who operate, monitor and repair the system. The operation plan must be available at the chemigation site.

Chemigation Warning Sign Wis. Adm. Code § ATPC 29.52(4) and 29.54(17)

Posting chemigation warning signs is mandatory if any portion of the application site is located within:

1. 100 feet of a public road.
2. 300 feet of a residence, migrant labor camp, school, playground, day care facility, health care facility, commercial or industrial facility, public recreation area, or other area where individuals are likely to be present during the operation of the chemigation system.

Warning signs shall be posted before chemigation begins, and shall remain posted until chemigation is completed and treated surfaces have dried. Warning signs may remain posted indefinitely if they are intact and fully legible during all required posting periods. The form and content of each warning sign shall be identical to that shown. Supplementary information may be included if it is consistent with and does not detract from the requirement.

Warning signs shall be posted at regular intervals along the border between the application site and any road or area identified, and at normal points of access to the application site. At least one warning sign shall be posted for each 1/4 mile of border. At least one warning sign shall be posted at each application site.



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Appendix I – CHECKLIST FOR DEVELOPING CUSTOMER SERVICE TICKETS FOR COMMERCIAL PESTICIDE APPLICATIONS

Many pesticide applicators and businesses (including sole proprietors) use a multiple – copy (e.g., carbon copy), invoice or receipt.

The following administrative code citations list the required information for pesticide application record keeping and post-application information to customers.

- Wis. Admin. Code § ATCP 29.21 Pesticide Application Records
- Wis. Admin. Code § ATCP 29.22 Post-Application Information to Customers
- Wis. Admin. Code § ATCP 29.33 Applicator Records

To fulfill all of the leave behind information and record keeping requirements, each item listed below must be included, in writing, on each record. Applicators must complete the record on the day of the application, providing one copy to the customer **at the time of the application**, while retaining a duplicate copy for record keeping purposes.

- ⇒ Telephone number at which the customer may contact the business (including sole proprietor) or applicator.
- ⇒ The first name, last name and license number of each individual who made or directly supervised the pesticide application. Add an addendum if more space is required.
- ⇒ The name and address of the customer, if any, for whom the pesticide was applied.
- ⇒ The site to which the pesticide was applied.
- ⇒ The specific location of the pesticide application site. The specific location of the pesticide application site. (e.g., "Specific Location" means a drawing or description that is specific enough for someone, other than the applicator, to identify where the application was made.)
- ⇒ The month, day, year and approximate starting time and ending times of the pesticide application.
- ⇒ The brand name or product name or common chemical name, and the federal Environmental Protection Agency (EPA) registration number for each pesticide applied.
- ⇒ One of the following:
 - ◆ The concentration and total quantity of each pesticide applied.
 - ◆ The amount of each pesticide applied per unit area and the total area treated.
- ⇒ Each location, other than a business location licensed under Wis. Admin. Code § ATCP 29.20, at which the pesticide was mixed or loaded. Mixing and loading sites do not need to be identified if the pesticide is directly applied from a prepackaged retail container, or is applied with application equipment having a total capacity of not more than 5 gallons of liquid pesticide, or 50 pounds of dry pesticide.
- ⇒ Post-application precautions which the pesticide label requires of the customer. This information shall be provided in time for the customer to take the required precautions.
- ⇒ A free copy of the pesticide label, or notice that the customer may request a free copy. The business (including sole proprietor) shall provide a free copy to each customer who requests it.

Write legibly.

Appendix II – EXAMPLE PESTICIDE APPLICATION RECORD AND INFORMATION TO CUSTOMER

Customer Name _____
Address _____
City _____ **State** ____ **Zip** _____
Phone: _____

Date of Application ____ / ____ / ____
Mo / Day / Year
Start Time _____ A.M. or P.M.
End Time _____ A.M. or P.M.

Application Site

Specific Location of Application Site & Exceptions:

(e.g. field AB, did not spray NE corner because of standing water)

Acres Treated _____

Crop: ☐ Corn ☐ Soybeans ☐ Alfalfa ☐ Other _____

Indicate Mix & Load site on map if not loaded at licensed business location

Specific location of application site

Diagrams and maps can be used to supplement written description.



Pesticide Product(s) Applied

Name _____ **EPA#** _____ **Application Rate** _____ **Total Applied** _____
Name _____ **EPA#** _____ **Application Rate** _____ **Total Applied** _____

(e.g. AAtrex 4L EPA#: 100-497
Application Rate: 0.75 lbs AI per acre
Total Applied: 35 acres)

Choose one of these methods to document the amount applied:

Concentration and Total Quantity of Pesticide Applied

Examples:

- Liquid 2% solution 25 gallons applied
- Granular 0.15% 45 pounds applied

Pesticide Applied Per Unit Area AREA* and Total Area Treated

Examples:

- Liquid 3 pints per acre 5 acres
- Granular 2.75 pounds per 1,000 sq. ft. 25,000 sq. ft.

Post Application Precautions

Must be provided in time for the customer to take the necessary precautions. Include all relevant precautionary statements on the pesticide label for the specific crop and site of application.

Insert post application precautions or provide copy of pesticide label:

REI ____ Pre-harvest interval ____ Planting Interval ____ Other ____

Applicator

☐ First Name _____ Last Name _____ License # _____ - CA
☐ First Name _____ Last Name _____ License # _____ - CA

Business Name 234 Main St, City, WI. Zip Phone (123) 456-7890 mybusiness@email.com

Free Copy of the Pesticide Label(s) is Available Upon Request

The record must be legible

Example covers requirements of ATCP 29.21, 29.22 and 29.33

Appendix II – EXAMPLE PESTICIDE APPLICATION RECORD AND INFORMATION TO CUSTOMER

Customer Name Ridge Farms LLC
Address 1567 Ridge Drive
City Johnson Creek, WI 53038
Phone: (920) 789-7834

Date of Application 6 / 26 / 2014

Start Time 10:45 A.M.

End Time 11:38 A.M.

Application Site:

Crop: ☒ Corn ☐ Soybeans ☐ Alfalfa ☐ Other _____
 GM Corn

Acres Treated: 12.26

Field 1: 5.36 acres

Field 2: 1.18 acres

Field 4: 3.24 acres

Field 6: 2.48 acres



Mix Load Site: Lat/Lon 43.0423 N, 88.7016 W

Pesticide Product(s) Applied

Name	EPA Reg #	Application Rate	Total Applied
AAtrex 4L Herbicide	100-497		
2,4-D Ester	83520-20		
Quilt Fungicide	100-1178	7 oz. per acre	12.26 acres
Headline SC Fungicide	7969-289		
Mustang Max	279-3426		

Post Application Precautions

- Restricted Entry Interval is 12 hours
- Pre-harvest interval; (PHI) is 30 days
- Apply no more than two applications of Quilt or any other Group 11 fungicide per year
- Rotational crop planting restriction for corn – Do NOT plant crop intended for food, grazing, or any component of animal feed or bedding within 105 days of Quilt fungicide application.
- Contact us or read the Quilt label for additional restrictions that may apply, e.g. plant back intervals for crops other than corn.

Applicator

- ☐ Craig Johnson
☒ Gary Halverson

License # 123456 - CA
 License # 149123 - CA

Free Copy of the Pesticide Label(s) is Available Upon Request

Ag Service Provider 234 Main St, City, WI. 53711 (123) 456-7890 Agbusiness@email.com

Appendix II – EXAMPLE PESTICIDE APPLICATION RECORD AND INFORMATION TO CUSTOMER

Ag Service Provider 234 Main St, City, WI. 53711 (123) 456-7890 Agbusiness@email.com

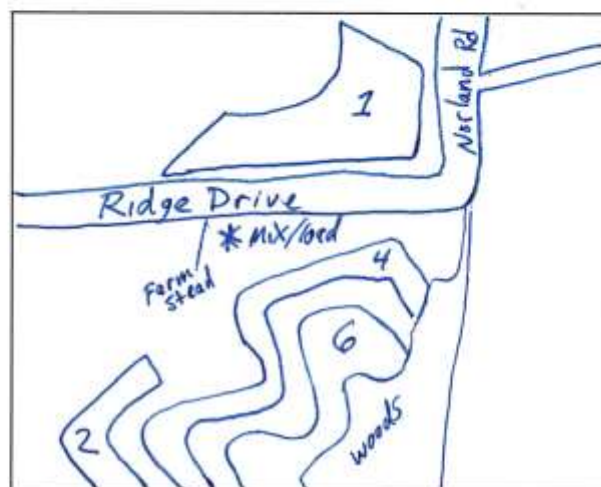
Customer Name Ridge Farms LLC
Address 1567 Ridge Drive
City Johnson Creek, WI 53038
Phone: (920) 789-7834

Date of Application 6 / 26 / 14
Mo / Day / Year
Start Time 10:45 A.M. or P.M.
End Time 11:38 A.M. or P.M.

Application Site: Field 1: 5.36 ac
Field 2: 1.18 ac Field 4: 3.24 ac
Field 6: 2.48 ac

Acres Treated: 12.26
T7N R15E S26

Crop: ☒ Corn ☐ Soybeans ☐ Alfalfa
☐ Other _____
GM Corn



Pesticide Product(s) Applied

Name	EPA Reg #	Application Rate	Total Applied	Re-entry Interval (REI)	Pre-Harvest Interval (PHI)
AAtrex 4L Herbicide	100-497				
2,4-D Ester	83520-20				
Quilt Fungicide	100-1178	<u>7oz. per Acre</u>	<u>12.26 acre</u>	<u>12 Hours</u>	<u>30 Days</u>
Headline SC Fungicide	7969-289				
Mustang Max	279-3426				

Post Application Precautions

- Apply no more than 2 applications of Quilt or Group II Fungicide per year
- Rotational crop planting restriction for Corn - Do NOT plant crop intended for food, grazing or any component of animal feed or bedding within 105 days of Quilt application
- Contact us or read the Quilt label for other crop plant back restrictions.

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Appendix Table 2. Planting interval for rotational crops (continued)

Herbicide	Alfalfa	Barley	Snap beans	Field corn	Sweet corn	Oats	Peas	Potato	Soybean	Tobacco	Wheat
Laudis	10M	4M	10M	0	0	4M	10M	10M	8M	18M	4M
Liberty 280 SL	180D	70D	180D	0	180D	70D	180D	70D	0	180D	70D
Lorox	4M	4M	4M	4M	4M	4M	4M	4M	0	4M	4M
Lumax EZ [†]	18M	FY	18M	0	0	FY	18M	18M	FY	18M	4.5M
Marvel	18M	4M	0	10M	10M	4M	10M	0	0	18M	4M
Metribuzin	4M	4M	12M	4M	4M	12M	8M	12M	0	12M	4M
Milestone	24M+BA	12M	24M+BA	12M	12M	12M	24M+BA	24M+BA	24M+BA	24M+BA	12M
NorthStar	8M	8M	8M	14D	8M	8M	8M	8M	8M	8M	3–8M ^c
OpTill	4M	9.5M	4M	8.5M	18M	18M	4M	26M	0–1M	9.5M	4M
OpTill PRO	9M	9.5M	4M	8.5M	18M	18M	4M	26M	0–1M	9.5M	4M
Option	60D	60D	60D	7D	7D	60D	60D	60D	14D	60D	60D
Orion	9M	14D	12M	3M	3M	14D	12M	9M	9M	12M	14D
Outlook	FY	4M	FY	0	0	4M	FY	FY	0	FY	4M
Permit	9M	2M	9M	1M	3M	2M	9M	9M	9M	2Y	2M
Poast Plus	0	30D	30D	30D	30D	30D	30D	30D	0	30D	30D
Prefix	18M	4.5M	0	10M	10M	4.5M	10M	18M	0	18M	4.5M
Princep	2Y	2Y	2Y	0	0	2Y	2Y	2Y	FY	2Y	2Y
Prowl	FY	FY	0	FY	FY	FY	0	0	0	0	120D–FY ^c
Pursuit	4M	9.5M	4M	8.5M ⁿ	18M	18M	4M	26M	0	9.5M	3M
Python	4M	4M	4M	0	10.5–18M ^p	4M	4M	12M	0	9M	4M
Raptor	3M	4M	0	8.5M	8.5M	9M	0	9M ^q	0	9M	3M
Realm Q	10M ^r	9M	18M	0	10M	9M	18M	10M	10M	18M	4–9M ^c
Resolve Q	10M	9M	10M	0	10M	9M	10M	1.5M	10M	18M	3–9M ^c
Resource	30D	30D	30D	0	30D	30D	30D	0	0	30D	30D
Select Max	0	30D	0	6–30D	30D	30D	0	30D	0	30D	30D
Sequence	4M	4.5M	0	0	0	4.5M	0	FY	0	FY	4.5M
Sharpen ^v	6M	0	3M	0	2M	0	3M	6M	2–3M	6M	0
Starane	120D	0	120D	0	0	0	120D	120D	120D	120D	0
Status	30D	30D	120D	7D	120D	30D	120D	120D	30D	120D	30D
Steadfast Q	10M	8M	10M	0	10M ^a	8M	10M	10M ^b	15D	10M ^b	4–8M ^c

Abbreviations: 0 = no restriction; M = month; AH = after harvest; D = day; Y = year; NA = not approved; BA = bioassay required; FY = following year; — = no restrictions for rotational crops listed on label

(continued)

^a The hybrids Merit, Carnival, and Sweet Success require 15M.

^b If the soil pH is 6.5 or greater, do not plant for 18M.

^c Use shorter interval for winter wheat, longer interval for spring wheat.

^d Interval of 18 months if soil pH is >7 and organic matter is <1.5%.

^e Crops with an 18M interval also require 30 inches of rainfall; if soil pH is >7.5, the interval is 24M.

^f Interval of 18M if soil pH is >7.5.

^g Also requires a minimum of 15 inches of rainfall.

^h When soil pH is >7.5, soybean rotation interval is 9M, or 4M for sulfonyl-tolerant soybean (STS) varieties.

ⁱ Use shorter interval after 8 oz/a or longer interval after 16 oz/a.

^j Rotational intervals for 1.25 oz/a rate without Optimum GAT or STS soybean. Lesser soybean rotation restrictions may apply. See label for details.

^k Intervals for 4 oz/a rate; use 6M interval if soil tilled before planting.

^l Rotational intervals are for 0.25 oz/a rate.

^m Rotational intervals are for 0.5 oz/a rate.

ⁿ Imidazolinone tolerant corn hybrids have no restrictions.

^o 10M interval for transplant tobacco after 0.3 oz/a FirstRate or less.

^p A 10.5M interval exists for hybrids listed on the supplemental label.

^q Wait 9M if using 0.5 oz/a rate.

^r If less than 15 inches of rain has fallen, extend the interval to 18M.

^s Rotational intervals are for 12 oz/a rate.

^t Only corn or sorghum can be planted FY if applied after June 1.

^u Interval of 18M if <18 inches of rainfall or if soil pH is <6.2.

^v Intervals are for 3 fl oz/a rate and may vary for other rates.

^w If the soil has less than 2% organic matter and less than 15 inches of rain has fallen, do not plant for 18M.

^x For rates over 0.375 oz/a, the interval is 18M.

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Some of these pesticides may be applied to your crops. Be aware of the information listed and possibly additional label restrictions. Call with any questions. [Enter phone number]

The federal **Worker Protection Standard (WPS)** for agricultural pesticides is designed to reduce the risk of employee exposure to pesticides. The WPS requires the following information (Columns A-F) be shared with you, our customers if you employ workers performing hand labor tasks. [Enter company name] will call with the product name(s) being applied, the approximate date, time and the location(s) of the application. For more information regarding WPS please visit: <http://www.epa.gov/agriculture/twor.html>

The Wisconsin Pesticide Use and Control Rule (ATCP 29) requires our business to provide you **post application precautions** which the pesticide label requires of the customer. This information includes the re-entry, forage/grazing, crop harvest intervals and plant back restrictions (see columns D, G, H & I). If you will be replanting with another crop not listed in Appendix Table 2, please contact [enter company name] for subsequent planting restrictions.

A	B	C	D	E	F	G	H	I
Product name	Active Ingredient	EPA Registration Number	Re-entry Interval (REI) (hours)	Notify Worker Method (oral/posting)	Early Entry PPE (see footnote)	Forage/ Grazing Interval (days)	Crop harvest Interval (days)	Subsequent Plant back Interval
2-4-D ESTER LV4	2, 4-D	228-139	12	Either	G, B, H, I	7	No restrictions	See Appendix Table 2
2-4-D ESTER LV6E	2, 4-D	228-95	12	Either	G, B, H, I	7	7	See Appendix Table 2
ACCENT	Nicosulfuron	352-560	4	Either	A, B, C	30	30	See Appendix Table 2
AMBUSH 2E INSECTICIDE	Permethrin	5481-549	12	Either	A, B, C, D	30	See Label	No restrictions
ARCTIC 3.2 EC	Permethrin	1381-187	12	Either	A, B, C	No restrictions	30	No restrictions
ASANA XL	Esfenvalerate	352-515	12	Either	A, B, C, D	21	21	No restrictions
ASCEND	Cytokinin, Giberillic Acid, IBA	9779-335	4	Either	A, B, C	No restrictions	No restrictions	No restrictions
ASSURE II	Quizalofop	352-541	12	Either	A, B, C	Not permitted	No restrictions	See Appendix Table 2
ATRAZINE 4L	Atrazine	1381-158	12	Either	A, B, C	60	No restrictions	See Appendix Table 2
Baythroid XL	Beta-Cyfluthrin	264-840	12	Either	A, B, C, D	7	21	See Appendix Table 2
Extreme	Glyphosate + Imazethapyr	241-405	48	Either	A, B, C, D	30	See Label	See Appendix Table 2
Fusilade DX	Fluazifop-P-butyl	100-1070	12	Either	A, B, C	See Label	60	See Appendix Table 2
Lumax EZ	Mesotrione + S-Metolachlor+Atrazine	100-1442	24	Either	B, F, G, H	45 - sweet corn forage; 60 - other	45	See Appendix Table 2
OPTILL	Saflufenacil + Imazethapyr	7969-280	12	Either	A, B, C, D	Not Permitted	255	See Appendix Table 2

Early Entry Personal Protective Equipment Codes:

A = Coveralls

B = Chemical Resistant Gloves

C = Shoes and Socks

D = Protective Eyewear

E = Waterproof Gloves

F = Coveralls over Long Sleeves & Pants

G = Coveralls over Short Sleeves & Short Pants

H = Chemical Resistant Footwear = Socks

I = Chemical Resistant

J = Long Sleeve Shirt & Pants

K = Headgear Suit

Appendix III – EXAMPLE PESTICIDE APPLICATION NOTICE TO BEEKEEPER

REQUEST NOTICE OF PESTICIDE APPLICATION

TO: Name of owner or controller of pesticide application site
Address
City, WI 55555

DATE: 01/01/15
Expires: 12/31/15

FROM: Name of beekeeper
Beekeeper mailing address
City, WI 55555

PHONE: (555)555-5555

This letter is to request notice of at least 24 hours before a pesticide labeled “Highly Toxic to Bees” or containing the active ingredient methomyl is applied to any site located within **1 ½ miles of a honeybee colony**, as authorized under Wisconsin Administrative Rule ATCP 29.51.

Specific Colony Locations:

- *Example of site description:* Field name, address, township/range/section, GPS coordinates, exact road directions, landmarks
- Site 2 description
- Site 3 description

As required under ATCP 29.51, the person who owns or controls the pesticide application site must notify the beekeeper named above during the entire calendar year in which this written request was made. The notice may be written or oral and include:

- The intended date and time of application
- Brand or common name of the pesticide to be applied
- The location of the application site

If the application date changes after the notice is issued, the person who owns or controls the application site shall issue a corrected notice as soon as reasonably possible before the application occurs.

Thank you for your cooperation,

Name of beekeeper

If the applicator receiving this letter has any questions, contact the Department of Agriculture, Trade and Consumer Protection (DATCP) Pesticide Specialist or State Apiarist: (608) 224-4500.